



Docket No.: 159.1001
 Date: February 12, 2009

In re application of: Frederick H. Miller, et al.
 Serial No.: 10/804,576
 Filed: March 19, 2004
 For: Multi-Phase, Multi-Compartment Capsular Delivery Apparatus and Methods for Using Same

Sir:

Transmitted herewith is an **Amendment (34 pages)** in the above-identified application.

- Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
- Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
- No fee for additional claims is required.
- A filing fee for additional claims calculated as shown below, is required:

- Also transmitted herewith are:
 - [X] Petition for extension under 37 C.F.R. 1.136(a)
 - [X] Other: - **Information Disclosure Statement (4 pages) and Form PTO 1449 (1 page)**
 - Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address (1 page)
 - Petition for three month Extension (1 page); and
 - Return Postcard

- Check(s) in the amount of \$1280.00 is/are attached to cover:
 - [X] Information Disclosure Statement filing fee
 - [X] Petition fee under 37 C.F.R. 1.136(a)

- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
 - [X] Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 - [X] Any patent application processing fees under 37 C.F.R. 1.17.
 - [X] Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.



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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service with sufficient postage as "first class mail" in an envelope addressed to Mail Stop: Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 12, 2009.
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:

Steve Cruz

